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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF WYOMING**

In re: ) Chapter 11  
 )  
POWELL VALLEY HEALTH CARE, INC., ) Case No. 16-20326  
 )  
Debtor-in-Possession. )

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**THIRD MOTION TO VACATE AND CONTINUE HEARING ON  
DEBTOR'S MOTION OF THE DEBTOR FOR AUTHORIZATION TO  
CONDUCT RULE 2004 EXAMINATION OF THE MALPRACTICE  
INSURANCE COMPANIES AND THE JOINDER AND OPPOSITION FILED  
THERE TO**

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Powell Valley Health Care, Inc. ("PVHC", or the "Debtor"), the debtor and debtor in possession in the above captioned case, hereby files this motion to vacate and continue the hearing set for February 22, 2017, at 2:00 p.m., on the Debtor's *Motion of the Debtor for Authorization to Conduct Rule 2004 Examination of the Malpractice Insurance Companies* [Doc. 353], the *Insurance Companies' Joint Opposition to Motion for Authorization to Conduct Rule 2004 Examination and Request to be Heard* [Doc. 359] filed by UMIA Insurance, Inc. ("UMIA"), Lexington Insurance Company ("Lexington"), and Homeland Insurance Company of New York ("Homeland") (collectively, the "Insurance Companies") and the *Joinder to Motion of the Debtor for Authorization to Conduct Rule 2004 Examination of the Malpractice Insurance Companies and Joinder to*

*Response to Insurance Companies' Joint Opposition to Motion for Authorization to Conduct Rule 2004 Examination and Request to be Heard* [Doc. 368] filed by the Official Committee of Unsecured Creditors (the "Committee"), and in support thereof shows the Court as follows:

1. Since filing its *Motion of the Debtor for Authorization to Conduct Rule 2004 Examination of the Malpractice Insurance Companies* [Doc. 353] (the "Motion for 2004 Exam"), the Debtor has participated in meaningful discussions with the Insurance Companies in an effort to avoid the need for seeking the relief requested in the Motion for 2004 Exam.

2. At the juncture, the Debtor is encouraged with its discussions with the Insurance Companies, as well as its continued negotiations with the Committee, and believes that the interests of all parties would be better served if the parties focused their efforts on negotiating a consensual Plan, rather than spending time preparing to argue the merits of the motion.

3. Accordingly, the Debtor requests that the hearing on the Motion for 2004 Exam be vacated and continued for approximately thirty (30) days.

4. The Committee has consented to the relief requested in this motion.

**WHEREFORE**, the Debtor respectfully requests the Court enter an order substantially in the form attached hereto at Exhibit A vacating and continuing the hearing on the Motion for 2004 Exam.

Dated: February 21, 2017.

**MARKUS WILLIAMS YOUNG &  
ZIMMERMANN LLC**

By: /s/ Bradley T. Hunsicker  
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Counsel for the Debtor and Debtor-in-  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that on February 21, 2017, a copy of the foregoing was served *electronically* upon those parties indicated below:

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/s/Bradley T. Hunsicker

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